

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Status of Claims:**

Claims 5, 6, 8, 9, 14, 21-25, and 27-34 are currently being cancelled.

Claims 1-4, 7, 10-13, 15-20 and 26 are currently being amended.

Claims 35 and 36 are currently being added.

This response adds, cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending, adding and canceling the claims as set forth above, claims 1-4, 7, 10-13, 15-20, 26 and 35-36 are now pending in this application.

**Support for Claim Amendments:**

Independent claims 1, 10, 13, and 17 have been amended to define the present invention more clearly. Support for the amendments to claims 1 and 17 may be found, for example, on page 32, lines 3 to 25, and on page 38, line 6 to page 39, line 15 of the specification. Support for the amendments to claim 10 may be found, for example, in Figures 6 and 7 of the drawings (second embodiment). Support for the amendments to claim 13 may be found, for example, in Figures 8 and 9 of the drawings (third embodiment). Support for the features added to claims 2, 11, 15 and 18 may be found on page 39, lines 16-25 of the specification.

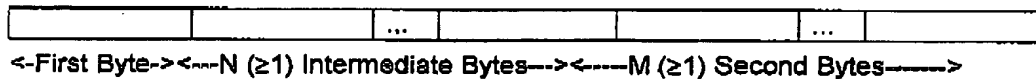
**35 U.S.C. § 112, 2<sup>nd</sup> Paragraph Rejection:**

In the Office Action, claims 1-34 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, for the reasons set forth on page 2 of the Office Action. The presently pending claims have been amended based in part on the comments made on page 2 of the Office Action, whereby all of the presently pending claims are believed to fully conform to 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

**35 U.S.C. § 102 Rejection:**

In the Office Action, claims 1-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,987,137 to Karppanen. This rejection is traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

The data protection processing device (claim 1), the modem device (claim 10), the communications system (claim 13), and the data protection processing method (claim 17) of the present invention process a bit stream having the data structure shown in the figure directly beneath this paragraph, and add a second value (= protection key values) to M (= adding range) second bytes when the first byte indicates a first value (= adding conditions).



On the other hand, although Karppanen discloses that a mobile station (MS) starts adding a “block 1” to transmission data to or from a packet switching controller (SGSN) (in other words, starts enciphering or deciphering the transmission data) upon receiving a “start cipher” command (see column 9, lines 53-63), there is no disclosure or suggestion of having N intermediate bytes that are not enciphered/deciphered in spite of the reception of the “start cipher” command. Furthermore, the bit-wise binary addition of Karppanen is not equivalent to the arithmetic operation (arithmetic addition or subtraction) of the presently claimed invention.

Accordingly, all of the presently pending independent claims under rejection are not anticipated by Karppanen.

Moreover, Karppanen is silent as to whether the bit-wise binary addition sets the MSB of each byte of the transmission data to 1, as recited in dependent claims 2, 11, 15 and 18.

Thus, dependent claims 2, 11, 15 and 18 are patentable for these additional reasons.

**New Claims:**

New claims 35 and 36 have been added to recite additional features that are not disclosed or suggested by Karppanen.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this response, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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